



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1427-00

2 August 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 29 November 1983 at age 18. During the period 27 February 1984 to 5 August 1985 you received one nonjudicial punishment and were convicted by two summary courts-martial. Your offenses were drunk and disorderly conduct, being incapacitated for duty, carrying a concealed weapon and use of an unauthorized pass. Subsequently, you were referred for an alcohol rehabilitation program and were hospitalized from 15 October to 12 December 1985.

You then served without incident until 30 June 1987. During this period of good service you were advanced to MR3 (E-4). In the performance evaluation for the period ending 30 June 1987 you were recommended for advancement and retention in the Navy. There are no further performance evaluations in the record. However, on 13 December 1987 you acknowledged that the performance evaluation for the period ending 13 December 1987 was adverse. In addition, you acknowledged that you were not recommended for reenlistment and would be assigned an RE-4 reenlistment code because of your lack of drive and regard for your well being in regards to alcohol. You were released from active duty on 13 December 1987, with your service characterized

as honorable, and assigned an RE-4 reenlistment code. Subsequently, you were issued an honorable discharge at the end of your military obligation.

You contend in your application that you have been a good citizen since discharge and no longer have an alcohol abuse problem. You contend, in effect, that no useful purpose is now served by the RE-4 reenlistment code. However, the Board concluded that a record which includes three disciplinary infractions and the final adverse performance evaluation were sufficient to support the assignment of an RE-4 reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director